

# **EXHIBIT 1**



**From:** Christensen, Jessica R. <JChristensen@reedsmith.com>  
**Sent:** Thursday, June 1, 2023 10:36 AM  
**To:** Carey Alexander; Joseph P. Guglielmo; Erin Green Comite; DavidM; ashingler; Amanda Rolon; Bradley Beall  
**Cc:** Leib, Michael S.; Coleman, Selina P.; Todd, Anthony R.; Chambers, Caitlin A.  
**Subject:** RE: Russo v. Walgreen Co. - Motion for Leave to Exceed Page Limits for Class Certification Reply

Counsel,

As you know, on March 28, 2022, the Court granted Walgreens 40 pages for its response brief and Plaintiffs 20 pages for its reply. This year, ahead of filing its response brief, Walgreens requested that Plaintiffs agree to a joint motion for leave for each party to have 10 extra pages for their respective briefs, with Walgreens having 50 pages for its response and Plaintiffs having 30 pages for its reply. Plaintiffs, however, opposed that request, declining to agree to Walgreens having any additional pages. In fact, in response to Walgreens' subsequent Motion for Leave, Plaintiffs filed an Opposition that stated that Plaintiffs had "abided by the Court's 30-page briefing limit" for their class certification motion and that "Walgreens provides no justification why it, like Plaintiffs, cannot conform to the Court's ordered page limits." (Dkt. # 573.) As you note in your draft motion, despite Plaintiffs' refusing to agree to Walgreens' request, in its own Motion for Leave, Walgreens informed the Court that, "[i]f the Court also wishes to grant Plaintiffs an additional 10 pages for their reply, Walgreens would not object." (Dkt. # 572.) The Court granted Walgreens' Motion for Leave. (Dkt. # 575.)

Despite Plaintiffs' prior refusal to agree to Walgreens having any additional pages for its response, consistent with Walgreens' position earlier this year, Walgreens would not oppose a request by Plaintiffs for 10 additional pages for its reply – for a total of 30 pages. Walgreens, however, does not agree to Plaintiffs having 20 extra pages for its reply, which would be double the amount of pages it currently has.

If Plaintiffs decide to move for leave to file a reply of up to 40 pages, Walgreens requests that Plaintiffs inform the Court of Walgreens' position and attach this email string as an exhibit to Plaintiffs' Motion.

Regards,  
Jessica

**Jessica R. Christensen | Sr. Associate**

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**From:** Carey Alexander <calexander@scott-scott.com>

**Sent:** Wednesday, May 31, 2023 11:46 AM

**To:** Leib, Michael S. <MLeib@ReedSmith.com>; Coleman, Selina P. <SColeman@reedsmith.com>; Todd, Anthony R. <ATodd@ReedSmith.com>; Chambers, Caitlin A. <CACHambers@reedsmith.com>; Christensen, Jessica R.



<JChristensen@reedsmith.com>; Parker, Kristin B. <KParker@reedsmith.com>

**Cc:** Joseph P. Guglielmo <jguglielmo@scott-scott.com>; Erin Green Comite <ecomite@scott-scott.com>; DavidM <DavidM@rgrdlaw.com>; ashingler <AShingler@rgrdlaw.com>; Amanda Rolon <arolon@scott-scott.com>; Bradley Beall <BBeall@rgrdlaw.com>

**Subject:** Russo v. Walgreen Co. - Motion for Leave to Exceed Page Limits for Class Certification Reply

**EXTERNAL E-MAIL - From [calexander@scott-scott.com](mailto:calexander@scott-scott.com)**

Counsel,

Plaintiffs intend to seek leave of the Court to file a reply memorandum of up to 40 pages in support of Plaintiffs' motion for class certification. A draft of Plaintiffs' motion is attached. Please advise whether Walgreens objects to the relief sought or whether Plaintiffs may indicate that the relief is uncontested.

Thank you.



**Carey Alexander, Partner**

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